

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1065 be amended to read as follows:

- 1 Page 4, after line 30, begin a new paragraph and insert:
2 "SECTION 3. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
3 **SECTION, "fund" refers to the public employees' retirement fund**
4 **established under IC 5-10.3-2-1.**
5 (b) Notwithstanding any other provision in IC 5-10.2 or
6 IC 5-10.3, if:
7 (1) **a member of the fund was receiving a benefit from the**
8 **fund;**
9 (2) **the member was a party with the member's designated**
10 **beneficiary in an action for dissolution of marriage in which**
11 **a final order:**
12 (A) **was issued after the member's first benefit was paid;**
13 **and**
14 (B) **specified that the member's designated beneficiary**
15 **would not take a benefit from the fund as a designated**
16 **beneficiary or surviving spouse;**
17 (3) **following the issuance of the final order described in**
18 **subdivision (2), the member died; and**
19 (4) **the member's spouse at the time of the member's death**
20 **was not the designated beneficiary;**
21 **the surviving spouse of the member of the fund is entitled to file an**
22 **application with the fund before September 1, 2008, to be**
23 **designated the member's designated beneficiary and to receive**

1 **benefits from the fund as a designated beneficiary to the extent the**
2 **surviving spouse otherwise qualifies for the benefits.**

3 **(c) In order to be designated a designated beneficiary under**
4 **subsection (b), the surviving spouse must submit a certified copy of**
5 **the final order described in subsection (b)(2) of this SECTION.**

6 **(d) This SECTION expires September 1, 2008.**

7 **SECTION 4. An emergency is declared for this act."**

 (Reference is to HB 1065 as printed January 25, 2008.)

Representative Stutzman